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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/498,725	02/07/2000	Raja Tuli		9222

7590 09/10/2003

JAMES C. SCHELLER, JR.
BLAKELY, SOKOLOFF, TAYLOR &
ZAFMAN LLP
12400 WILSHIRE BOULEVARD, 17TH FL
LOS ANGELES, CA 90025

EXAMINER

CARDONE, JASON D

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 09/10/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/498,725

Applicant(s)

TULI, RAJA

Examiner

Jason D Cardone

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-68 is/are pending in the application.
- 4a) Of the above claim(s) 9-20, 29-40 and 49-60 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-28, 41-48 and 61-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 13 March 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6,9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: *See Attached Office Action*.

DETAILED ACTION

1. This action is responsive to the remarks of the applicant (Paper No. 10) filed on 6/23/03. Claims 9-68 are presented.

Election/Restrictions

2. Applicant's election of Group II (claims 21-28, 41-48, and 61-68) in Paper No. 10 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). The requirement is deemed proper and is therefore made FINAL.

3. This application contains claims 9-20, 29-40, and 49-60 drawn to an invention nonelected without traverse in Paper No. 10. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01. Claims 21-28, 41-48, and 61-68 are presented for further examination.

Information Disclosure Statement

4. The information disclosure statement (IDS) submissions, Paper Numbers 6 and 9, are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner. The examiner has considered the list of cross-referenced related applications, within Paper Number 6, but

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they will not be printed on the front page of a patent, since they were not disclosed on a PTO-1449.

Specification

6. The uses of the trademarks Palm Pilot VII and Windows CE [Specification, pg. 3, line 10] have been noted in this application. It should be capitalized or include a proper trademark symbol, such as TM or © following the word, wherever it appears and be accompanied by the generic terminology. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 21-26, 28, 41-46, 48, 61-66, and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boals et al. (hereinafter Boals), U.S. Patent No. 6,108,727, in view of Nahi et al. (hereinafter Nahi), U.S. Patent No. 6,084,584.

9. Regarding claim 61, Boals discloses a host to serve a remote device, the host comprising: means for generating, at the host, a first image of an application to indicate

a state of the application, the application representing a graphical environment for controlling the host [ie. a first video image of the application, controlling the host, is generated by the host, Boals, col. 6, lines 38-50, col. 11, line 51 – col. 12, line 37]; means for sending the first image in a compressed image format to the remote device [Boals, col. 64, lines 20-49];

means for receiving a first message from the remote device, the first message indicating user input received with respect to the first image [ie. pen or mouse event, Boals, col. 13, lines 10-37];

means for applying the user input to the application at a location corresponding to a location at which the user input is received with respect to the first image at the remote device [ie. position of pen or mouse event is recorded in host, Boals, col. 12, lines 14-37, col. 13, lines 10-37, and col. 71, lines 1-9];

means for generating, at the host, a second image of the application, the second image indicating a state of the application after the user input is applied to the application [ie. update state of application, Boals, col. 13, lines 10-37 and col. 74, lines 43-55] ; and means for sending the second image of the application to the remote device [Boals, col. 13, lines 10-37 and col. 74, lines 43-55].

Boals discloses applications running on the host and under control of the wireless interface device [Boals, col. 11, line 51 – col. 12, line 37] but does not specifically disclose a virtual desktop. However, Nahi, in the same field of endeavor, discloses a wireless portable device controlling a host computer system with a virtual desktop application [Nahi, col. 6, lines 32-63], similar to the wireless portable device

controlling a host computer with an application of Boals, col. 11, line 51 –col. 12, line 37]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the use of a specific host application, a virtual desktop application, disclosed by Nahi, into the wireless remote control system, disclosed by Boals, by making the generic application of Boals a virtual desktop, so that the wireless device can access common/shared information and the Internet [Nahi, col. 3, lines 45-49 and col. 6, lines 46-55].

10. Regarding claim 62, Boals-Nahi further discloses the user input comprises a click on a point on the first image and, to generate the second image, the host applies a click to the virtual desktop at a point that corresponds to the point on the first image [Boals, col. 13, lines 10-37, col. 78, lines 5-40, and col. 79, lines 17-27] [Nahi, col. 6, lines 32-63 and col. 8, lines 7-29].

11. Regarding claim 63, Boals-Nahi further discloses the user input comprises a double-click on a point on the first image and, to generate the second image, the host applies a double-click to the virtual desktop at a point that corresponds to the point on the first image [Boals, col. 13, lines 10-37] [Nahi, col. 6, lines 32-63 and col. 8, lines 7-29].

12. Regarding claim 64, Boals-Nahi further discloses the user input comprises a drag-and-drop on the first image and, the host applies a drag-and-drop to the virtual

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desktop at locations that correspond to locations where the drag-and-drop on the first image is received at the remote device [Boals, col. 13, lines 10-37] [Nahi, col. 6, lines 32-63 and col. 8, lines 7-29].

13. Regarding claim 65, Boals-Nahi further discloses means for sending, to the remote device, a second message from the host, the second message instructing the remote device to prompt for text input; wherein the click applied to the virtual desktop allows text input at a location on the virtual desktop [Boals, col. 55, line 58 – col. 57, line 7 and col. 71, lines 1-10] [Nahi, col. 6, lines 32-63].

14. Regarding claim 66, Boals does not specifically disclose the virtual desktop comprises a virtual web browser; and, the virtual web browser renders web pages requested by the remote device at the host into images. However, Nahi, in the same field of endeavor, discloses the virtual desktop comprises a virtual web browser; and, the virtual web browser renders web pages requested by the remote device at the host into images [Nahi, col. 6, lines 32-63 and col. 12, line 57 – col. 13, line 31]]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the web browser, disclosed by Nahi, into the wireless remote control system, disclosed by Boals, so that the wireless device can access common/shared information and the Internet [Nahi, col. 3, lines 45-49].

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15. Regarding claim 68, Boals-Nahi further discloses the first image is sent from the host to the remote device through a wireless telecommunication link [Boals, col. 6, lines 3-31].

16. Regarding claims 21-26 and 28, claims 21-26 and 28 are method claims that correspond to the apparatus in claims 61-66 and 68, respectively. Therefore, the similar limitations are disclosed under Boals-Nahi for the same reasons set forth in the rejection of claims 61-66 and 68 [Supra 61-66 and 68].

17. Regarding claims 41-46 and 48, claims 41-46 and 48 are machine readable medium containing executable computer program instructions claims that correspond to the apparatus in claims 61-66 and 68, respectively. Therefore, the similar limitations are disclosed under Boals-Nahi for the same reasons set forth in the rejection of claims 61-66 and 68 [Supra 61-66 and 68].

18. Claims 27, 47, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boals-Nahi as applied to claims 21, 41, and 61, above, and further in view of Guedalia, U.S. Patent No. 6,121,970.

19. Regarding claim 67, Boals-Nahi further discloses dividing the first image into a plurality of sections [ie. on-screen keyboard and dialog box within one of the windows of the wireless remote device Boals, col. 71, lines 1-55]. Boas-Nahi does not specifically disclose the plurality of sections are sent to the remote device in a sequence according

to a display priority in the compressed image format. However, Guedalia, in the same field of endeavor, discloses plurality of sections are sent to a remote device in a sequence according to a display priority in a compressed image format [ie. necessary FLASHPIX image tiles, Guedalia, col. 13, lines 22-29 and col. 15, lines 4-10]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate priority of sections, disclosed by Guedalia, into the wireless remote control system, disclosed by Boals-Nahi, so that the system has reduced latency and boosted server performance [Guedalia, col. 3, lines 60-65].

20. Regarding claim 27, claim 27 is a method claim that corresponds to the apparatus in claim 67. Therefore, the similar limitations are disclosed under Boals-Nahi-Guedalia for the same reasons set forth in the rejection of claim 67 [Supra 67].

21. Regarding claim 47, claim 47 is a machine readable medium containing executable computer program instructions claim that corresponds to the apparatus in claim 67. Therefore, the similar limitations are disclosed under Boals-Nahi-Guedalia for the same reasons set forth in the rejection of claim 67 [Supra 67].

Response to Arguments

22. Applicant's arguments with respect to claims 21-28, 41-48, and 61-68 have been considered but are moot in view of the new grounds of rejection.

Conclusion

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hanson, Jr. et al., U.S. Patent No. 5,534,893, discloses a virtual desktop program is a special application program.

Huntsman, U.S. Patent No. 5,949,412, discloses controlling another computer with a GUI.

Muta, U.S. Patent No. 6,286,003, discloses slave controlling with a web browser.

Nguyen, U.S. Patent No. 6,564,250, discloses web browsers on appliances with limited memory.

Huang et al., U.S Patent No. 6,571,245, discloses synchronizing home and office desktops with a virtual desktop on a server.

24. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason D Cardone whose telephone number is (703) 305-8484. The examiner can normally be reached on Mon.-Thu. (9AM-6PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Powell can be reached on (703) 305-9703. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



Jason D Cardone
Examiner
Art Unit 2142

September 4, 2003